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SUBJECT: HLTF MEETING MARCH 22, 2007

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Classified By: Political Advisor Stuart Seldowitz, reasons 1.4 (b and d)

¶1. (C) SUMMARY. Despite determined efforts by the U.S. and many other Allies, Germany derailed agreement at the March 22 High-level Task Force (HLTF) on the text of a NATO paper on cross-group stationing of forces under the CFE Treaty. Most allies, in particular Turkey, Greece, Norway, Bulgaria and Romania, considered it essential for NATO to speak with one voice on this issue, and discussions continued into the early evening. While the HLTF ended without an agreed text, the German representative's (Groening) unwillingness to acknowledge his minority (of one) position, and his readiness to allow individual Allies to face Russian questions without firm Alliance support on the issue, had the effect of infuriating most Allies and the International Staff. This set the stage for subsequent discussions at NATO and in capitals, which resulted in placing the original, U.S.-friendly text under silence and getting it agreed by COB March 28.

¶2. (C) On other issues, the HLTF reached agreement on key themes to stress with Russia in the NATO Russia Council (NRC) and NRC Ambassador Arms Control meetings (NRC (ACE) discussion reported septel); provided the basis for the International Staff to place under silence an instruction to Vienna delegations for responding to Russia's three CSBM proposals; and agreed to continue work on the "positive agenda" paper. The HLTF decided to set aside (as a reference document that has not been agreed and cannot be used outside the Alliance) the German-originated "matrix" on the status of the Istanbul commitments. In keeping with U.S. suggestions at the February HLTF regarding the need to develop priorities for HLTF work, Germany advanced a paper on new ideas for HLTF work. The German paper received a mixed welcome. The U.S. also met on the margins with Turkey, Greece, and Norway to move forward on finalizing the CFE flank entitlement transfers (which subsequently finalized on April 5). END SUMMARY.

¶3. (SBU) The HLTF Chair, NATO Assistant Secretary General Martin Erdmann, opened the March 22 meeting by summarizing his recent meeting on February 21 with Russian DFM Alexander Grushko in Moscow. In that meeting the following issues were discussed: how new NATO members fit into CFE; how to achieve more security with less means; the current arms control regimes; a proposal for a new NRC (ACE) agenda; and the anniversary activities associated with the NATO-Russia Founding Act and the NATO-Russian Council.

Status of the Istanbul Commitments

¶4. (SBU) Fulfillment of Istanbul Commitments and the "matrix." The Chair (Erdmann) noted that the Alliance could

not agree to the "Matrix" paper (HLTF-N(2006)0031-REV2 dated 16 January 2007), and asked Allies how we to address the Russian Federation since the Alliance was not in agreement. Erdmann noted that Moldova had stated at the Annual Implementation Assessment Meeting in Vienna that the Russian Federation had no legal status for its troop presence in Moldova and that Russian troop presence is in contravention to the Moldovan constitution. Moldova had also stated its preference for a multinational peacekeeping force (PKF) to replace current PKF. U.S.HLTF representative DAS Karin L. Look commented hat the views of the Moldovan government should b reflected in the Matrix. Host nation consent was the core issue. Others noted that they agreed wth the Moldovan government. German rep Groening noted that NATO should have its own position on what constituted fulfillment of the Istanbul commitments; this was not a matter for the Moldovans to decide for us. Look, noting the continuing differences amongst Allies, asked that the Matrix be set aside and added to the agenda only as required. France, Turkey, Italy, and Germany commented on the utility of Matrix when discussing the Istanbul Commitments, but none challenged Look's assessment that it cannot be "agreed." The Chair decided that we should keep the Matrix as a living document that is not regularly on the agenda. He also noted the support for an international PKF to replace the current Russian force in Moldova. Regarding Georgia, Erdmann acknowledged the need for Russia to renew progress regarding Gudauta.

Cross-Group Stationing

15. (C) In what turned out to be the most divisive issue of the meeting, Allies struggled to reach agreement on the

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"Consolidated International Staff Paper (HLTF-N(2006)0023-REV8)," concerning cross-group stationing. Agreement did not prove attainable, despite more than two hours of discussion in the morning session, and an additional two-hour session after the HLTF reconvened at 5:30 pm, following the NRC (ACE). At Erdmann's request, HLTF Deputies Chairman, Mike Miggins recounted the Deputies many fruitless efforts to find a way forward on paragraph 5 of the text, which a majority of Allies could accept as written; one ally insisted that a portion of that text be deleted. Thus agreement was not possible at the Deputies level.

16. (C) Apparently catching Erdmann by surprise, the U.S., Turkey, Romania, Norway, Czech Republic, Greece and Bulgaria all said that this paper was the crucial issue for the March 22 HLTF, that it was essential to have a strong unified Alliance position when Russia asked questions about this issue in Vienna and at the upcoming NRC Ambassadorial. Turkish rep Gun made clear that for those Allies involved in transfers of CFE entitlements to the U.S., this issue was urgent. All emphasized that cross-group stationing was neither prohibited by the Treaty nor was it a security issue for Russia. Erdmann asked whether Allies could agree to the current text of:

REV8 of the Consolidate paper:

"5. Notwithstanding the Alliance's 1997 policy statement concerning additional permanent stationing of substantial combat forces, the deployment of some forces by Allies on the territory of other members of the Alliance, within the limits of national entitlements, is not incompatible with the text of the Treaty. (There is no provision of the Treaty that prohibits stationing of forces of one member of a group of States Parties on the territory of a member of the other Group of States Parties) as long as the group ceilings are not violated and there is host State consent to the stationing. The Adapted CFE Treaty, which reflects the new security environment in Europe, explicitly allows such deployments. This is another factor that underscores the importance of achieving entry into force of the Adapted

Treaty as soon as possible after remaining Istanbul Commitments have been fulfilled."

-- Germany, supported by France, said they could not accept that text with the bracketed language included.

¶ 17. (C) German rep Groening's arguments were not always easy to follow and sometimes contradicted themselves. But the upshot of his line was clear: unlike other Allies, Groening made the case that it is not permitted under the current CFE Treaty to station forces from one group on the territory of another group of States Parties. On the other hand, Groening also argued that this was a political issue, not a legal one.

Germany's view was that while the CFE Treaty may not prohibit cross-group stationing, it also doesn't allow it explicitly. This was, he said, perfectly reasonable given that at the time the Treaty was signed, there was little thought about cross-group stationing. Look and other Allies argued in return that the Treaty was clear on its face, establishing a system of unitary sub-zones that were not geographically bifurcated. An equipment entitlement that pertained to the central zone could be located anywhere within that zone (whether on the territory of an eastern group or western group member), provided other Treaty requirements, including for host state consent, were met. Look stressed that this was an Alliance issue: if the German interpretation were accepted, PFP field activities would be all but impossible. New Allies and old Allies would not be able to train together using their own equipment.

¶ 18. (C) After nearly two hours of discussion, the U.S. circulated a proposed text which keyed off of language provided by Groening and HLTF rep Biontono to the U.S. in Berlin. This U.S. proposal was similar to one of the options the U.S. had discussed with concerned Allies two weeks earlier, but it tracked almost exactly with German ideas.

"5. Notwithstanding the Alliance's 1997 policy statement concerning additional permanent stationing of substantial combat forces, the stationing of forces of one member of a Group of States Parties on the territory of a member of the other Group of States Parties, within the limits of national entitlements, is compatible with the Treaty, as long as the group ceilings are not violated and there is host State consent to the stationing. The Adapted CFE Treaty, which reflects the new security environment in Europe, explicitly allows such deployments. This is another factor that underscores the importance of achieving entry into force of the Adapted Treaty as soon as possible after remaining Istanbul Commitments have been fulfilled."

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¶ 19. (C) The UK immediately stated that it had no problems with the text, France thought it was a good basis. Bulgaria, Canada, Netherlands, Norway, Czech Republic, Romania, Turkey, Greece, and Latvia stated they could accept the U.S. tabled revised text as written at this meeting. The Chair, noting the emerging consensus, stated that either a silence procedure or another meeting of the Deputies was needed to reach an agreement. The German rep asked for a short break to consider the U.S. text, but then rejected it after the break. Ultimately, the Chair decided to suspend the meeting until after the NRC(ACE) meeting which immediately followed the HLTF meeting.

¶ 10. (C) When the HLTF reconvened later that afternoon, Groening pushed for language that represented this view of cross-group stationing as one held only by "concerned" Allies; that is, it would be a position held by some, but not all, NATO allies. He also sought to limit the application of the cross-group stationing principle so it would not apply to the stationing of Western group forces in Georgia.

¶ 11. (C) Trying to square the circle, the Canadian rep offered language that met some German desiderata but not

others. That language was hard to read, but all Allies recognized it as presenting a position held by all NATO Allies, not just a few, and could thus have been acceptable.

"5. Notwithstanding the Alliance's 1997 policy statement concerning additional permanent stationing of substantial combat forces, the deployment of some forces by Allies on the territory of other members of the Alliance, including the stationing of forces of one member of a group of States Parties on the territory of a member of the other Group of States Parties, within the limits of national entitlements, and conforming to the stated position taken by the NATO member States Parties to the CFE Treaty, is compatible with the Treaty, as long as the group ceilings are not violated and there is host State consent to the stationing. The Adapted CFE Treaty, which reflects the new security environment in Europe, explicitly allows such deployments. This is another factor that underscores the importance of achieving entry into force of the Adapted Treaty as soon as possible after remaining Istanbul Commitments have been fulfilled."

¶12. (C) Groening's rejection of the final attempt at compromise ended the HLTF but also set the stage for the reversal that followed, over the next few days. Look pleaded that this was an important issue concerning which NATO Allies should speak with one voice. She said her most serious worry was that on this sensitive political issue, one the Russians were certain to pursue, some Allies were willing to allow others to face that questioning alone without the support of the NATO Alliance. Romanian HLTF rep Vasiu delivered the same message more pointedly, "this is not why we joined NATO."

¶13. (C) Following exchanges on the margins among Ambassadors at NATO and bilaterally in capitals, on Tuesday, March 27, Germany agreed that the original text of para 5, rev 8, with the bracketed text included, should be placed under silence until COB March 28. Silence was not broken and the text was agreed.

Other issues

¶14. (SBU) The Positive Agenda paper (HLTF-N(2006)0032-REV7) will continue to be worked by Deputies as most Allies agreed to the importance of this paper for future meetings with the Russian Federation at NATO and OSCE forums.

¶15. (C) The 2007 Work Program and Strategic Orientation of the HLTF. At the February 1, 2007, meeting of the HLTF the U.S. proposed that the HLTF take a serious look at goals and priorities for the HLTF, so as to be able to be more proactive in its work. The Chair and most allies vigorously supported that proposal. Following up on that, at this meeting, Germany introduced its food-for-thought paper by stating that conventional arms control continues to have a vital role play in Europe and that the Alliance needed to pay more attention to these issues. Germany (Groening) offered that the I.S. should take his paper and rewrite it as a NATO paper. Many agreed that this was a good basis to start discussion, however there are red lines we needed to observe.

Those ideas presented by Turkey, Canada, U.S., UK, Czech Republic, Italy and Romania were: not opening Vienna Document 1999; the EU should discuss this in the agreed framework; asymmetrical threats are too broad; and no duplication of work in other forums. France noted that it has some reservations. The Chair announced that the issue would continue to be addressed in the next HLTF.

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¶16. (SBU) Russian Proposed CSBMs. The Chair in his introduction stated that the International Military Staff had written an analysis of the Russian proposal of information on Multinational Rapid Reaction Forces. Vienna had asked for additional guidance. Look opined that we should provide Vienna with more guidance and include the military analysis

that had been conducted both in November and now.

-- U.S. was open to discussion. But we should ensure that any measures are even handed, not duplicative of work in other forums nor cherry-pick the Adapted CFE Treaty, and be militarily significant and verifiable, as appropriate.

-- Canada noted that the security of our troops is paramount, and that it was totally against adopting a CSBM measure that was in the adapted CFE Treaty.

-- France stated that it was against naval CSBMs.

-- Netherlands called the first two CSBMs CFE look-alikes, wanted Russia to explain its security concerns, liked the SHAPE analysis on RRF which provided more room for maneuvering during discussions, and like France, it was against naval CSBMs to include ground units.

-- Germany was vague in its response. It called for a balanced response to the Russians, wanted discussions to stay in Vienna rather than in a NATO or EU forum, and emphasized that we (the HLTF) should not try to micro-manage Vienna.

-- Greece agreed with Canada about CSBMs that are covered in the adapted CFE Treaty and recalled that a decision was taken in Madrid at the OSCE Ministerial that applied specific criteria to new CSBMs (military significance, verifiability, and reciprocity).

-- Turkey highlighted that the Alliance did not need to talk about sub-regional issues that would disrupt the Alliance solidarity.

In summation of the discussion, the Chairman would draft a response to the Russian CSBM proposals as Vienna requested. It would basically say that NATO was not interested in discussing the first two Russian proposals but would welcome discussion on the Rapid Reaction Force proposal.

¶17. (SBU) NRC(ACE) Preparation and Meeting. In the short time available to prepare for the NRC (ACE), Allies agreed to try to offer a broadly cooperative message to Russia regarding the expanded agenda of the group. Germany agreed to speak on the "strategic importance of arms control;" the U.S. (and others) would comment on the Istanbul Commitments, and next steps needed in Moldova; France would offer to provide a briefing on a new weapons system under the agenda item on new security concerns; and all Allies would try to send a common message cautioning the Russians that while we were open to discussion of new CSBMs (Look mentioning that the U.S. was open to the idea of a CSBM seminar this fall, in Vienna), CSBMs were not the only way to address security concerns. Allies were open to negotiate measures, but to be acceptable those had to be even-handed, not duplicative of Adapted CFE provisions, and militarily significant and verifiable, as appropriate.

¶18. (SBU) Next meetings: The U.S. proposed that in preparation of the NRC Anniversary activities scheduled for June, it would be best to have a meeting in mid-May in preparation and if needed in late June before the summer vacation season begins. Others who spoke supported this proposal. However, due to other scheduling constraints since this meeting, the next HLTF meeting has been set for May 3.
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